G. P. 71 & 72—650,414—21-11-30.

to move

GF. 71 & 72.

1935

Department of Excise

OFFICE of the Commr

STATION Cuncolim

seen by C

R No. 121 ABC/35

Dated 23. 1. 1935

To whom sent		Date	Initial
121	Given for copying	P	
	Copied	3-15 P.M.	
	Examined	23/1	
	Signed		
	Given for despatch		
	Despatched	MS	
	Indexed		
Pages in the file	To be destroyed on*		

(SUBJECT.)

Cashew arrack - distillation and sale - Nos and taluk - Special conditions while [illegible] supply contracts [illegible]

Note

[illegible] 7 vt. % 25% production throughout the plant. If this is approved, the rate for [illegible] will have to be correspondingly reduced.

v) Necessity for making arrangements for shifting [illegible] Hfl airines we can provide back for this.

[illegible] Mass. R.R. [illegible] Thus [illegible] I don't think so as 5" stronger

[illegible] 1-12-0 [illegible] 25 [illegible] this [illegible] W.H. [illegible] also [illegible] Pressed

[illegible]

No. We would to test the public demand for Cask Conditioned Ale

To maximum need not be prescribed.

19/12/34

Sir,

A draft set of Conditions is submitted below

SR 19/12/34

A formal licence to distil Cask Conditioned Ale at the Chorley Distillery will have to be issued by the ACA. If ordered, a draft will be submitted for approval

Approved. I presume that allowance has been made for advance, the date of manufacture, as suggested by Messrs Parry & Co the other day

19/12/34

Draft of licence to be issued submitted for approval

19/12/34

19/12/34

Note Contd.

Note (cont).

Comm's remarks on previous page —

The preamble to the duty licence permits the distillation of Cashew arrack from 1-2-35 while the official date is 15-2-35. —

Draft to local officers submitted below.

Rly 23/1/35

SR
28/1
28/1/35

Arrack supply contract licence:- 1935-3

--

Special conditions regulating the supply of cashew arrack to Mangalore Town and ~~Taluk~~.

--

1. You shall also be bound to supply through your W.H. at Mangalore cashew arrack for sale in the arrack shops ~~and depots~~ of ~~Mangalore~~ Town and Taluk.

2. For this purpose, you shall manufacture at the Chowghat Disty. ~~as much~~ cashew arrack ~~as you can~~ during the cashew seaso The manufacture and supply by you of casn arrack shall be subject to the conditions specified in C.R.No. ~~2125~~ 725 -Abk.d/-27-4-34 a amended in Commr's Memo C.R.No.3495-Abk. d/-28-5-34.

3. The strength at which cashew arrack shall be supplied by you shall be 30^{0}U.P. The duty per gallon of that strengtn sna be Rs. Rs 4-8-10 3 0-0 (Rupees)

4. The price to be charged by you per ~~gallon~~ of ~~30 U.P.~~ 35 U.P. cashew arrack shall be ~~Rs.2~~ Rs 6-12 at the Mangalore W.H. and ~~Rs.2-5-6~~ Rs 6-11-6 at the depots supplied from it.

5. The manufacture and supply of cashew arrack shall be subject to the same rules and conditions as those applicable to molasses arrack.

6. You shall be bound by such orders affecting the supply of cashew arrack as may be issued by the Commr. from time to time.

7 The minimum quantity to be ...

P.T-0

Mangalore Warehouse Licence. 1935-36.

pecial conditions regulating the issue
f cashew arrack to the arrack depots and
hops in the Mangalore Town and Taluk.

--

. For the purpose of supplying ~~of~~ cashew
rrack to the arrack depots and shops in the
angalore Town and Taluk in accordance
ith the conditions of your arrack supply
ontract a licence, cashew arrack will be
ssued to you from the Chowghat Listy.

You shall be bound to supply cashew
rrack so long as ~~this~~ there is stock
vailable, to all persons licensed to
urchase such arrack from you on payment
f ~~legal~~ the value ~~s~~ in legal tender.

. The strength at which cashew arrack
hall be supplied from your W.H. shall be
U.P. The price to be charged per
allon of cashew arrack of that strength
hall be ~~Rs. 2/-~~. NS 6 -

. True and separate accounts of transac-
ions in cashew arrack shall be maintained
y you and the Officer in charge of the
arehouse in the same forms as those
~~pplicable to~~ molasses arrack.

. You shall be bound by such further
irections in respect of transactions in
cashew arrack as may be issued by the
Commr. or the A.C.D. from time to time.

Arrack licences in Mangalore Town and
Taluk. 1935-36

Special conditions regulating the sale of

cashew arrack -

1. The privilege granted by this licence extends also to the sale of cashew arrack issued from the Mangalore W.H. Such arrack will be issued from the W.H. so long as there is stock available.

2. The supply of cashew arrack from the Mangalore W.H. to the persons licensed to purchase such arrack shall be subject to the same conditions as those applicabl to the supply of molasses arrack.

3. The prescribed strengtn for the sale of cashew arrack is ~~30°~~ U.P. The price to be charged per ~~gallon of 30° U.P.~~ cashew arrack shall be ~~Rs. 2/-~~ at the Mangalore W.H. and ~~Rs. 2-5-6~~ at the depots in ~~Mangalore Town and Taluk.~~

4. The licensee is strictly prohibited from ~~mixing cashew arrack with molasses arrack.~~

5. True and separate accounts of transactions in cashew arrack shall be maintained by the licensee.

6. The licensee shall be bound by such other orders ~~xx~~ relating to the sale of cashew arrack as may be issued by the Collector or the Commr. during the lease.

I ....Esq.,
Asst. Commr. of Excise for Distilleries,
under the provisions of the Madras
Abkari Act 1 of 1886, hereby licence
you,.....to
manufacture cashew arrack in the Dis-
tillery at Chowghat from 1-2-35 up to
such time as the cashew fruit continues
to be available during the official year
ending with 31st March 1936 for the
distillation of such spirit subject to
the following conditions:--

1. You shall be bound by the General conditions applicable to all Abkari and Opium licences as notified by the Commissioner of Excise (herein after called the Commissioner), from time to time and the Distillery and Warehouse Rules published as Notification No. 411 dated 19-9-32 on pages 1617 to 1622 of Part I of the Fort St. George Gazette, dated 4-10-32 so far as they concern you and by the following conditions which are special to this licence.

2. You shall manufacture spirits known as cashew arrack distilled only from the cashew fruit as long as the

cashew fruit is available during the period specified above and according to the terms set forth in (Commissioner's Proceedings R.No.725/Abk.34 dated 27-4-34 as amended by Commissioner's Memo dated 28-5-34.)

3. You shall sell cashew arrack distilled, only to the depots and shops of the Mangalore Town and Taluk of the South Kanara district through the Mangalore Warehouse.

4. You shall sell cashew arrack only at a strength of 30° U.P. at a cost price of Rs.2/- per gallon from the Mangalore warehouse and Rs.2-5-6 from the depots in the Mangalore Town and Taluk ex duty only from (1-4-35)

*The rate of duty will be specified later.

Samples of cashew arrack may be taken as and when required for test of quality at the Commissioner's Laboratory free of duty and cost price.

5. You shall see that all receptacles in which cashew arrack is issued are labelled "Cashew Arrack distilled at the Chowghat Distillery" before they leave the Distillery.

6. You shall be bound by such departmental orders concerning distilleries

and the manufacture of cashew arrack as may be issued by the (Commissioner) from time to time.

7. You shall keep the plant and other accessories clean and in the manner prescribed by the Asst. Commr. for Distilleries.

8. The (Commissioner) reserves the right to cancel the licence without any notice if you are declared insolven by a competent Court.

9/1935

1935

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined ..		
When signed ..		
When despatched.		

SUBJECT:—

Cashew arrack - distillation & sale of Mangalore Town & Taluk - Special Conditions applicable to arrack supply Contract. etc. licences.

READ AGAIN C/1110 725 Rev/34 dated 27.6.34 19....

,, ,, ,, 19....

READ *ALSO*:—

No. From the , No. , dated 19....

,, ,, ,, ,, 19....

,, ,, ,, ,, 19....

Order / Resolution — Ms. / Rout. No. , dated 19....

The attention of the Coll. of S.Kanara is invited to the Rules read above.

Pp 1-3 of the Conditions below

Prcg.

The special Conditions regulating the supply & sale of Cashew arrack in Mangalore Town & Taluk, applicable to the arrack supply Contract licence for S.Kanara dt, to the Mangalore W.H. licence, & to the arrack licences of Mangalore Town & taluk, for the year 1935-36 are herewith forwarded to the Collr. of S.Kanara & the A.C.D. They are requested to see that the special Conditions are inserted in the respective licences for 1935-36. The Collr. of S.Kanara is also requested to publish the special Conditions applicable in Mangalore Town & Taluk to arrack licences issued.

ind to see that they are duly announced
o the bidders during the auctions o
f shops.

2f. The A.C.D.s is requested to issue
a special license to Messrs. Parry & Co
to in the form of annexed, to
distil Cashew arrack in the Chowgula
distly. during the ensuing Cashew
Season.

Rs 23/1/35

To the Supdt of Customs
A.C.D.s (with spare)
Copy to D.C.D, A.C.W.C.
Inspr. Mangalore (with spare)

23.1.35

Memo

The following Corrections will issue to C.P.No. 121/Dak.D. 23.1.1935:-

In Condn. 3 of the Conditions applicable to arrack licences in Mangalore town taluk, for 1935-36, regulating the sale of arrack, for the words "ex-duty" occurring in the second sentence read "excluding duty."

Similarly, in Condn. 4 of the ~~duty~~ licences, for the words "ex duty" occurring in the ~~and the Condn. read~~ sentence, read "excluding duty"

To The Collr. of S. Kanara + A.C.D.

Copy to D.C.-S.D. A.C.W.C. + Supr. Mangalore ⊙.

NOTICE OF SALE OF ABKARI AND OPIUM PRIVILEGES IN THE SOUTH KANARA DISTRICT.

Notice is hereby given that the number of independent shops appointed for the sale of liquor, opium and intoxicating drugs during the twelve months beginning 1st April 1935 and ending 31st March 1936 and the local limits appointed for them are given in the schedules published in the *South Kanara District Gazette* Extraordinary for December 1934, and that the privilege of sale therein will be put up to public auction on the dates, at the places, and by the officers notified in the said District Gazette Supplement subject to conditions, hereinafter set forth. The sale of arrack in the shops of Mangalore town will partly be in sealed bottles as obtained directly from Mangalore Warehouse and special conditions by which such sales will be regulated will be notified separately. Cashew arrack obtained from Mangalore warehouse or from the depots supplied from it shall be kept for sale in the shops of Mangalore town and taluk along with molasses arrack and special conditions by which such sales will be regulated are given below.

The arrack supplied will be of only one kind, viz., molasses arrack except in Mangalore town and taluk where it will be of two kinds, i.e., molasses and cashew. The arrack will be supplied by Messrs. Parry & Co., Managing Agents of the East India Distilleries and Sugar Factories, Limited, the contractors who have the monopoly of supply to the South Kanara district. Depot licences for issue to licensed shops or other wholesale depots will be issued to private parties in accordance with the condition XIV below. A separate notification will be issued regarding fixed fee foreign liquor licences.

The contract suppliers will be required to open one warehouse and seventeen wholesale depots at the places noted below, but power has been reserved to the Collector subject to the approval of the Commissioner to require more to be opened if those opened are not sufficient or not properly distributed in his opinion for the due supply to shops. If, however, a private person opens a wholesale depot at any of the appointed places and works it to the satisfaction of the Collector, that officer may absolve the contractors from their liability to open a depot at that place :—

Warehouse.

1 Mangalore.

Wholesale vend depots.

1 Mangalore.	10 Udipi.
2 Mulki.	11 Brahmavar.
3 Mudabidri.	12 Hebri.
4 Bantval.	13 Karkal.
5 Kasaragod.	14 Coondapoor.
6 Puttur.	15 Baindur.
7 Beltangadi.	16 Shankaranarayana.
8 Sullya.	17 Vittal.
9 Golitattu.	

Conditions of Auction Sale.

I. Any person desiring to bid must deposit Rs. 20 with the selling officer on the day of sale, but discretion is given to the selling officer to reduce the deposit to Rs 10 when necessary. No one will be admitted to the auction room unless he has made this deposit. No one may bid for another person unless he holds a power-of attorney from him. No shop will be knocked down in the name of two or more persons. In the case of a duly recognized company or firm an agent duly authorized by power-of-attorney or any office-bearer empowered by the articles of association or similar rules may bid for and act on behalf of the company or firm. Deposits made under this clause will be returned on application to unsuccessful bidders at the close of the day's sale.

II. The Officer conducting the sale may, at his discretion, refuse to accept the bid of any person on the ground (1) that he has been convicted by a criminal court or has previously been guilty of such a breach of the conditions of licence or of a contract under the $\frac{\text{Abkari}}{\text{Opium}}$ Act as to render him undesirable as a holder of a licence; or (2) that he is insolvent or in arrears to Government; or (3) that his bid is purely speculative; or (4) that he is a village officer or a relative of a village officer of the village in which the shop is situated or which is supplied by the shop or of a neighbouring village; or (5) that he is a contract supplier of country spirits for the contract area within which the shop is situated; or (6) that he is a brewer or agent of a brewer (either local or foreign) bidding for any shop in which beer is sold for consumption on the premises; or (7) that such a course is necessary to prevent arrangements to the detriment of Government interests; or (8) for any other valid reason.

III. The reserve price placed on each shop will not be published, but the average monthly rental during the previous five years have been notified, wherever possible, in the schedules referred to above for the information of bidders. The selling officer will fix the upset price of each shop.

IV. The shops will be put up to auction in the order in which they are notified unless the selling officer sees reason to change that order.

V. The highest bid will be provisionally accepted by the selling officer subject to confirmation by the Collector. Such subsequent confirmation after the close of the sale will be necessary even if the selling officer is the Collector himself. The Collector will be at liberty to accept or reject any bid at his discretion. If the selling officer before the close of the sale rejects under condition II the highest bid for any shop, he may at his discretion either accept the next highest bid or resell the shop. In case of dispute the selling officer's decision will be final.

VI. (*a*) Every person whose bid is provisionally accepted shall

(i) at once, if so required by the selling officer or otherwise at the close of the day's sale, deposit in addition, to the deposits made under clause I half a month's rent for each shop knocked down to him unless the initial deposit equals or exceeds two months' rent;

(ii) at once apply in writing for a licence for each shop knocked down to him and within a week thereafter furnish the Tahsildar with the boundaries of the site selected by him for the location of the shop and a statement in the prescribed form (annexed to this notification) showing details of the immovable property possessed by him, or in which he has an interest together with accurate and full details of encumbrances, etc., thereon ;

(iii) within fifteen days from the date of sale deposit such further sum as with the deposits already made under sub-clause (i) supra will make up two months' rent of all shops knocked down to him.

(*b*) Further if the Tahsildar is not satisfied that any such person can be trusted to pay his rent punctually and fully, he may require him, in addition to the deposits required under clause (*a*) (iii) supra, either

(i) to deposit two months' rent of all shops knocked down to him, or

(ii) to execute a mortgage of his immovable property in favour of the Government for all moneys that may become due under the terms of the contract with a power of sale in favour of the mortgagee to be exercised in default of payment thereof by the purchaser, or

(iii) to produce a surety or sureties, to be accepted by the Tahsildar, who should execute a security bond for the due payment of all moneys that may become due by him under the terms of the contract and to execute a mortgage-deed of his or their immovable property in favour of the Government for the payment of all moneys due under the said contract by the purchaser with a power of sale in favour of the mortgagee in default of payment thereof, by the surety or sureties or by the purchaser, or

(iv) if the Tahsildar is not satisfied that the value of his immovable property tendered as security is adequate, he may require such person further to produce, in addition to mortgaging his property, a surety or sureties to be approved by the Tahsildar, who shall execute a security bond for the balance of the money that may become due and execute a mortgage-deed of the surety or sureties' property in favour of the Government. The sureties referred to in sub-clauses (iii) and (iv) should submit to the Tahsildar a statement in the prescribed form annexed to this notification showing details of their immovable property. The purchaser shall be bound to carry out the provisions of sub-clauses (i) to (iv) above, within fifteen days from the date of sale.

The bond and the mortgage-deeds shall be stamped and registered at the expense of the purchaser. He shall also be bound to execute a counterpart agreement. The bidder or his surety must produce at his cost an encumbrance certificate in cases where immovable property is mortgaged to Government.

VII. Deposits will be returned in any case in which the Collector refuses to confirm the acceptance of the bid.

VIII. At the close of the day's sale the selling officer will notify the date on which resales, if any, are found necessary will be held ; when the list of shops to be resold has been drawn up, a copy of it will be sent to any bidder who gives his name and address to the Tahsildar.

IX. The order of the Collector confirming or refusing to confirm the acceptance of a bid shall be final unless it is revised by the Commissioner for special reasons. In the event of any original bid not being confirmed by the Collector for the reason that it is inadequate the resale should begin with the bid provisionally accepted by the selling officer at the original sale and in the name of the individual who offered that bid.

X. On the failure of any person to make a deposit or apply for a licence under condition VI, or to comply with any requisition or to execute any engagement under condition VI, the shop may be resold under the orders of the Divisional Officer, or on a report from the Divisional Officer, may be otherwise disposed of by the Collector. Resales under this condition will be at the risk of the defaulting bidder, who will forfeit all gain, and in the event of a loss, will be required to make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the resale. In the latter case the deposits already made by the defaulting bidder will be forfeited and deducted from the loss arising from the resale, and the balance of the loss, if any, will be recoverable in the same manner as if it were an arrear of Land Revenue. Should, however, the deposits be greater than the loss by resale only such part of the deposits as is necessary to cover loss by resale will be forfeited and the balance refunded to the defaulter. The defaulting bidder will be similarly liable if the shop is disposed of otherwise than by resale and such disposal results in loss to Government as compared with the original sale. Disposal otherwise than by resale includes closure.

XI. The purchaser or any abkari or opium privilege is liable to the penalties prescribed for breaches of the conditions set forth below, though a formal licence may not have been issued to him. In the event of the purchaser's death after issue of the licence, his heirs and assigns shall be responsible for all moneys that may become due to Government under the terms of the licence as well as for the proper observance of all the conditions of the licence.

XII. The deposits under condition VI (*a*) (iii) and (*b*) (i) may be made either in cash or in recognized Government, Port Trust, Municipal or Local Board Securities, or by depositing Postal savings bank pass-books or deposit certificates obtained from the Provincial Co-operative Bank (Madras Central Urban Bank) or from any of the Central Banks approved by the Registrar of Co-operative Societies. When deposits are made otherwise than in cash, the Collector may demand that they shall be of such higher face-value than the cash deposit required as in the circumstances of the market he may think necessary. Where the deposits under this condition are sufficient, under the Collector's orders, to cover also deposits made in cash under conditions I and VI (*a*) (i) which have not been refunded as well as deposits due under condition VI (*a*) (iii) and (*b*) (i) the deposits made in cash may be returned to the depositors. Renters who have made the deposits under condition VI (*a*) (ii) and (*b*) (i) in the form of deposit certificates obtained from any of the Central Banks mentioned above or in cash may make a formal requisition to the Treasury officer or Sub-treasury officer as the case may be to transfer the cash deposits made by them under conditions I and VI (*a*) (i) or under conditions I, VI (*a*) (i) and VI (*a*) (iii) and (*b*) (i) to the fixed deposits in the Central Bank in the name of the Tahsildar. The Treasury officer or Sub-treasury officer as the case may be will endorse this requisition on to the Bank and inform it that, when the Bank gives the necessary formal receipts he will hand over the amount to the representative of the Bank duly authorized to receive it, or will remit it by postal money order or insurance cover to the Bank. When the amount has to be sent by postal money order or insurance cover, the renter will be required to deposit in the treasury or sub-treasury, with his requisition to transfer the deposit, an amount which shall, in the opinion of the Treasury officer, or Sub-treasury officer, as the case may be, be sufficient to cover the cost of forwarding the amount of the deposit to the Bank; any balance not utilized for this purpose will be credited towards any rent due from the depositor. The securities or savings bank pass-books deposited must be endorsed in the name of the Collector and Government promissory notes must be enfaced for payment of interest at the treasuries at which they are deposited, if so required. In the case of Co-operative Bank deposit certificates the deposits must be made in the name of the Tahsildar of the taluk, the contractor must agree in writing that he undertakes the risks, if any, involved in the investment and the banks must certify on the deposit certificate granted that the deposit is withdrawable on the Tahsildar's demand.

XIII. Deposits in cash will be adjusted towards the instalments of kists due in the last months of the period of the lease. Deposits of securities or savings bank pass books or Co-operative Bank deposit certificates will be returned on payment in cash of the full amount of the rent due and of any penalties or other sums recoverable under the terms of the licence or of the conditions set forth below unless the depositors wish that Government should take them over, in which case they will be taken over at the price of the day, and the balance, if any, due to Government must be paid in cash. In cases of default under condition X of the conditions of auction sale or under condition 37 of the general conditions applicable to all abkari and opium licences, all securities deposited are liable to be sold for any amount due to Government under the terms of the lease, the remainder, if any, due after such sale, being recovered as arrears.

Condition of Issue of Licences for Wholesale Vend of Arrack.

XIV. Applications for the privilege of wholesale vend of country spirits should reach the Collector on or before the 1st March 1935 and should be accompanied by a fee of Rs. 15 which will be returned to those persons whose applications for licences are not approved. The grant of licences confers no exclusive privilege, and it will be open to the Collector to grant licences under like conditions to other persons at any time during the currency of the licences for which applications are now invited. Licences will be granted to private persons only if they have obtained the consent of the arrack supply contractor of the district to the opening of their depots and deposited such amounts as may be required by the Collector as security for the proper fulfilment of the conditions of the licence. If such depots are not worked

to the satisfaction of the Collector, they may be closed at any time. Wholesale depot licences will not be granted to persons having interest in retail shops.

The licences issued under the above clauses will contain the following general conditions common to all abkari and opium licences and the special conditions prescribed below for any particular kind of licences :—

General Conditions applicable to all Abkari and Opium Licences.

1. Shops and depots must be opened by the dates fixed by the Collectors and must be kept open every day unless their temporary or permanent closure is authorized under conditions 10, 11 or 40 infra.

2. Except where definite sites in the possession or under the control of Government have been prescribed, purchasers of shops must make their own arrangements for securing proper sites for their shops. They are at liberty to choose any site within the local limits notified by the Collector, provided the site selected is approved of by the Revenue and Police authorities; in areas for which Excise Licensing Boards have been constituted under rules framed by Government, the sites selected by renters will have to be approved by the Licensing Boards, when the rules so require. The limits of the site selected and approved will be entered in the licence. The possession (except subject to the rules applicable to unlicensed persons) or sale of liquor, opium or intoxicating drugs outside those limits is prohibited.

3. Sales under any abkari or opium licence must be conducted in an approved building of which the whole or the whole of a separable part must be entirely set aside for use as a depot or shop. Licensees must keep their shop premises in a sanitary condition to the satisfaction of inspecting officers. In the case of arrack shops and taverns in municipalities, or towns having a population of 20,000 or over, there shall be no possible means of ingress or egress in any direction except into the main street; if there are other doors, they shall be kept locked under the seal of an officer of the Excise department; the interior of the shop shall be sufficiently lighted by day and the whole interior visible from the front door; the shop shall not be used as a place of residence save by the vendor and his family or caretakers. If there are means of communication between the depot or shop and an adjoining dwelling house, they must be kept locked at night.

4. Except when two or more foreign liquor licences are held by one person or in the case of licences held by chemists and druggists and medical practitioners, sales under different licences must be conducted in different premises provided that ganja and opium shops may be kept in the same premises if the portion occupied by one shop is effectively partitioned from the portion occupied by the other shop.

5. In liquor shops in which consumption on the premises is permitted private bars may be allowed by the Collector under a special licence to be granted by him free of fee; provided that the interior of the bar is wholly visible from the doorway and that the entrance to it is either through the main door of the shop or through a separate door provided with a proper sign to show the nature of the bar.

6. A signboard must be affixed to the front of each depot or shop showing the nature and number of the licence under which sales are conducted there, the name of the licensee and (except in the case of foreign liquor) the current rate of sale. These particulars must be legibly painted in the local vernacular and in the case of taverns and wholesale depots in English also. The licence must be hung up in a conspicuous place within the depot or shop.

7. The possession upon any licensed premises of any liquor, opium or intoxicating drug except that to which the licence relates or of any essence or substance used or capable of being used for colouring or flavouring liquor except in accordance with the terms of a compounding licence is prohibited.

8. Such supply of liquor, opium or intoxicating drugs as the Collector may consider sufficient to meet local requirements must be maintained in depots and shops.

9. No arrack shop, foreign liquor tavern or beer shop shall be opened before 9-30 a.m. Toddy shops shall not be opened before 7 a.m. in Mangalore town and before sunrise elsewhere. No other shop shall be opened before sunrise. Arrack depots shall be kept open from 7 a.m. to 12 noon and from 2 p.m. to 6 p.m.

10. (*a*) No shop or depot shall be kept open after the hours prescribed below except under special authority—toddy shops in Mangalore town 9 p.m., other kinds of shops in Mangalore town and shops of all kinds elsewhere, 8 p.m., and depots 6 p.m. Collectors may on the report of the police or for other sufficient reasons order the closure of any shop at an earlier hour if they consider such a course to be advisable in the interests of the public. The Commissioner may for sufficient reasons order the general closure of any kind or kinds or all kinds of licensed premises at any earlier hour than those prescribed above.

(*b*) The Commissioner may order the closure of particular shops or shops of any kind, or all kinds on Sundays and days of election to the local boards, municipalities, Legislative Council and the Assembly. Such restrictions shall in the case of independent shops appointed for the sale of liquor, opium or intoxicating drugs be notified by Collectors before the sales. With the previous sanction of the Commissioner, Collectors are authorized (i) to notify at the time of the auction that specified shops will be closed on the occasion of specified festivals and that the hours of sale at specified shops which are in the neighbourhood of a market or shandy will be limited on market days generally or that they will be liable to limitation on such occasions by orders issued during the currency of the lease, if it is found that the shops promote drunkenness; (ii) to order the closure of specified shops in the neighbourhood of factories, mills and other places where large numbers of operatives assemble from 11-30 a.m. to 1-30 p.m. on week days, on the afternoons of pay days and at all hours on Sundays except between 11-30 a.m. and 4 p.m. A special condition embodying these restrictions or liabilities will be inserted by the Collector in the licences granted to the renters of all such shops.

The Mangalore town arrack shops will be closed at all hours on Sundays except between 11-30 a.m. and 4 p.m. All arrack and ganja and opium shops within three miles of polling station will be closed on days of election to the local boards, municipalities and the Legislative Council and the Assembly. All foreign liquor shops except F.L. 5, 6, & 6 (*a*). will be closed on Sundays.

(*c*) and (*d*) * * *

(*e*) 9 p.m. is fixed as the general closing hour in the case of Railway refreshment rooms. Collectors are authorized to note in the licences the particular hours after 9 p.m. during which such licensed premises may be kept open for the sale of liquor to bona fide travellers only with reference to arrival and departure of trains. The Collector may alter these hours during the currency of the licence with reference to any alteration in the Railway Time Tables.

11. Depots and shops must be closed, if the Collector so orders, while a regiment or detachment of soldiers is passing or is encamped in the vicinity. Collectors or Divisional Officers shall have power also temporarily to close any shops in times of religious excitement or disturbance. Every depot and shopkeeper shall close his depot or shop when a riot or disturbance occurs or appears likely to occur in the neighbourhood.

12. All liquor, opium and intoxicating drugs sold or kept for sale shall be of good quality and unadulterated. Nothing shall be added to liquor, opium or intoxicating drugs either to increase their intoxicating power or for any other purpose. This prohibition, however, does not apply to the compounding or blending of liquor or to the manufacture of intoxicating drugs from hemp drugs and of opium mixture in accordance with the terms of a licence. Liquor shall not be bottled except under a bottling licence. Nor shall different kinds of liquors be mixed and sold under the designation of one of them.

13. No woman shall be employed in any abkari or opium shop for the sale of liquor, opium or intoxicating drugs without the special permission of the Collector unless she be a member of the renter's family.

14. No person suffering from leprosy or any contagious disease shall be allowed to be the holder of abkari or opium privileges, nor shall licences be granted to persons under the age of majority according to the Indian Majority Act in the case of abkari privileges and under the age of 21 in the case of opium privileges. The sale of transport of liquor, opium or intoxicating drugs by persons below the age of 18 (or 20 in the case of opium) or by persons suffering from leprosy or any contagious disease and the employment in any capacity of such persons in shops or depots licensed for the sale of the same are prohibited. No persons who have been convicted under the Indian Penal Code shall be employed in the transport or sale of liquor, opium or intoxicating drugs without the Collector's previous permission. The Divisional Officer may, where necessary, call for the names of all persons employed or proposed to be employed in any capacity in connexion with the management or the working of a depot or shop and the tapping and drawing of toddy for the supply of toddy shops in the topes in which the trees are marked and, if he disapproves of any such person, may forbid the licensee from keeping him in employment.

NOTE.—This rule applies to the sale of eatables by persons in liquor shops.

to the satisfaction of the Collector, they may be closed at any time. Wholesale depot licences will not be granted to persons having interest in retail shops.

The licences issued under the above clauses will contain the following general conditions common to all abkari and opium licences and the special conditions prescribed below for any particular kind of licences :—

General Conditions applicable to all Abkari and Opium Licences.

1. Shops and depots must be opened by the dates fixed by the Collectors and must be kept open every day unless their temporary or permanent closure is authorized under conditions 10, 11 or 40 infra.

2. Except where definite sites in the possession or under the control of Government have been prescribed, purchasers of shops must make their own arrangements for securing proper sites for their shops. They are at liberty to choose any site within the local limits notified by the Collector, provided the site selected is approved of by the Revenue and Police authorities; in areas for which Excise Licensing Boards have been constituted under rules framed by Government, the sites selected by renters will have to be approved by the Licensing Boards, when the rules so require. The limits of the site selected and approved will be entered in the licence. The possession (except subject to the rules applicable to unlicensed persons) or sale of liquor, opium or intoxicating drugs outside those limits is prohibited.

3. Sales under any abkari or opium licence must be conducted in an approved building of which the whole or the whole of a separable part must be entirely set aside for use as a depot or shop. Licensees must keep their shop premises in a sanitary condition to the satisfaction of inspecting officers. In the case of arrack shops and taverns in municipalities, or towns having a population of 20,000 or over, there shall be no possible means of ingress or egress in any direction except into the main street; if there are other doors, they shall be kept locked under the seal of an officer of the Excise department; the interior of the shop shall be sufficiently lighted by day and the whole interior visible from the front door; the shop shall not be used as a place of residence save by the vendor and his family or caretakers. If there are means of communication between the depot or shop and an adjoining dwelling house, they must be kept locked at night.

4. Except when two or more foreign liquor licences are held by one person or in the case of licences held by chemists and druggists and medical practitioners, sales under different licences must be conducted in different premises provided that ganja and opium shops may be kept in the same premises if the portion occupied by one shop is effectively partitioned from the portion occupied by the other shop.

5. In liquor shops in which consumption on the premises is permitted private bars may be allowed by the Collector under a special licence to be granted by him free of fee; provided that the interior of the bar is wholly visible from the doorway and that the entrance to it is either through the main door of the shop or through a separate door provided with a proper sign to show the nature of the bar.

6. A signboard must be affixed to the front of each depot or shop showing the nature and number of the licence under which sales are conducted there, the name of the licensee and (except in the case of foreign liquor) the current rate of sale. These particulars must be legibly painted in the local vernacular and in the case of taverns and wholesale depots in English also. The licence must be hung up in a conspicuous place within the depot or shop.

7. The possession upon any licensed premises of any liquor, opium or intoxicating drug except that to which the licence relates or of any essence or substance used or capable of being used for colouring or flavouring liquor except in accordance with the terms of a compounding licence is prohibited.

8. Such supply of liquor, opium or intoxicating drugs as the Collector may consider sufficient to meet local requirements must be maintained in depots and shops.

9. No arrack shop, foreign liquor tavern or beer shop shall be opened before 9-30 a.m. Toddy shops shall not be opened before 7 a.m. in Mangalore town and before sunrise elsewhere. No other shop shall be opened before sunrise. Arrack depots shall be kept open from 7 a.m. to 12 noon and from 2 p.m. to 6 p.m.

10. (*a*) No shop or depot shall be kept open after the hours prescribed below except under special authority—toddy shops in Mangalore town 9 p.m., other kinds of shops in Mangalore town and shops of all kinds elsewhere, 8 p.m. and depots 6 p.m. Collectors may on the report of the police or for other sufficient reasons order the closure of any shop at an earlier hour if they consider such a course to be advisable in the interests of the public. The Commissioner may for sufficient reasons order the general closure of any kind or kinds or all kinds of licensed premises at any earlier hour than those prescribed above.

(*b*) The Commissioner may order the closure of particular shops or shops of any kind, or all kinds on Sundays and days of election to the local boards, municipalities, Legislative Council and the Assembly. Such restrictions shall in the case of independent shops appointed for the sale of liquor, opium or intoxicating drugs be notified by Collectors before the sales. With the previous sanction of the Commissioner, Collectors are authorized (*i*) to notify at the time of the auction that specified shops will be closed on the occasion of specified festivals and that the hours of sale at specified shops which are in the neighbourhood of a market or shandy will be limited on market days generally or that they will be liable to limitation on such occasions by orders issued during the currency of the lease, if it is found that the shops promote drunkenness; (*ii*) to order the closure of specified shops in the neighbourhood of factories, mills and other places where large numbers of operatives assemble from 11-30 a.m. to 1-30 p.m. on week days, on the afternoons of pay days and at all hours on Sundays except between 11-30 a.m. and 4 p.m. A special condition embodying these restrictions or liabilities will be inserted by the Collector in the licences granted to the renters of all such shops.

The Mangalore town arrack shops will be closed at all hours on Sundays except between 11-30 a.m. and 4 p.m. All arrack and ganja and opium shops within three miles of polling station will be closed on days of election to the local boards, municipalities and the Legislative Council and the Assembly. All foreign liquor shops except F.L. 5, 6, & 6 (*a*). will be closed on Sundays.

(*c*) and (*d*) * * *

(*e*) 9 p.m. is fixed as the general closing hour in the case of Railway refreshment rooms. Collectors are authorized to note in the licences the particular hours after 9 p.m. during which such licensed premises may be kept open for the sale of liquor to bona fide travellers only with reference to arrival and departure of trains. The Collector may alter these hours during the currency of the licence with reference to any alteration in the Railway Time Tables.

11. Depots and shops must be closed, if the Collector so orders, while a regiment or detachment of soldiers is passing or is encamped in the vicinity. Collectors or Divisional Officers shall have power also temporarily to close any shops in times of religious excitement or disturbance. Every depot and shopkeeper shall close his depot or shop when a riot or disturbance occurs or appears likely to occur in the neighbourhood.

12. All liquor, opium and intoxicating drugs sold or kept for sale shall be of good quality and unadulterated. Nothing shall be added to liquor, opium or intoxicating drugs either to increase their intoxicating power or for any other purpose. This prohibition, however, does not apply to the compounding or blending of liquor or to the manufacture of intoxicating drugs from hemp drugs and of opium mixture in accordance with the terms of a licence. Liquor shall not be bottled except under a bottling licence. Nor shall different kinds of liquors be mixed and sold under the designation of one of them.

13. No woman shall be employed in any abkari or opium shop for the sale of liquor, opium or intoxicating drugs without the special permission of the Collector unless she be a member of the renter's family.

14. No person suffering from leprosy or any contagious disease shall be allowed to be the holder of abkari or opium privileges, nor shall licences be granted to persons under the age of majority according to the Indian Majority Act in the case of abkari privileges and under the age of 21 in the case of opium privileges. The sale of transport of liquor, opium or intoxicating drugs by persons below the age of 18 (or 20 in the case of opium) or by persons suffering from leprosy or any contagious disease and the employment in any capacity of such persons in shops or depots licensed for the sale of the same are prohibited. No persons who have been convicted under the Indian Penal Code shall be employed in the transport or sale of liquor, opium or intoxicating drugs without the Collector's previous permission. The Divisional Officer may, where necessary, call for the names of all persons employed or proposed to be employed in any capacity in connexion with the management or the working of a depot or shop and the tapping and drawing of toddy for the supply of toddy shops in the topes in which the trees are marked and, if he disapproves of any such person, may forbid the licensee from keeping him in employment.

NOTE.—This rule applies to the sale of eatables by persons in liquor shops.

15. (*a*) No liquor, opium or intoxicating drug shall be sold or given—

I. Except at shops specially approved by the General Officer Commanding the Division (or Independent Brigade) or the Officer Commanding the Cantonment or Camp, and then only in respect to such liquors as shall be approved by the same authority in consultation with the local Excise authorities and specified in the licence—

(1) to sailors of the Royal Navy, soldiers and members of their families; or

(2) to any other person living in barracks;

II. (1) to persons whom a vendor knows, or has reason to believe, to be camp followers, i.e., any class of followers (other than private servants) whether on or off duty, who have a right to be in cantonments;

(2) to policemen, excise officers, railway servants and to drivers and conductors of motor buses, taxis and lorries, when on duty; or

III. in any circumstances to any—

(1) European vagrant under escort of the police;

(2) insane persons;

(3) person known or believed to be intoxicated; or

(4) person known or suspected to be about to take part in a riot or disturbance of the public peace or other crime.

(*b*) No liquor or intoxicating drug shall be sold or given in any circumstances to any child or young person under 18 years of age or adult female; no opium shall be sold or given in any circumstances to any child or young person under 20 years of age or adult female;

(*c*) No child, young person under 18 years of age or adult female shall be admitted into the premises of any shop in which consumption is allowed on the premises subject to the exception in condition 13.

NOTE.—(1) The restrictions in I and II do not apply to soldiers, their families and followers when they are absent on leave from their regiments.

(2) The restrictions in clauses (*b*) and (*c*) so far as they relate to adult females do not apply to foreign liquor licences issued on fixed fees.

16. No liquor, opium or intoxicating drug shall be sold in shops except for cash. The licensee shall be bound to give intimation of the offer of anything other than cash to the nearest Magistrate or Police officer. This condition is not, however, meant to restrict credit sales in the ordinary course of business by shopkeepers or firms of standing and respectability dealing in foreign liquor for consumption off the premises.

17. No liquor, opium or intoxicating drug shall be sold either below or above such minimum* or maximum prices as may be fixed for sale of the same in accordance with the law for the time being in force.

18. No liquor, opium or intoxicating drug in excess of the quantities prescribed for possession without a licence as specified below shall be issued to any person at any one time from any licensed premises without a valid permit, nor shall liquor be sold at wholesale depots in quantities less than the minima prescribed—

Arrack.—Four drams except in special localities separately notified, where it is generally one dram.

Toddy.—Half gallon except in special localities separately notified where it is one dram.

Ganja.—Three tolas of ganja, ten tolas of bhang and preparations or admixtures containing the above quantities.

Opium.—One tola of raw opium or any quantity of opium mixture contalning not more than one tola of raw opium.

Coconut toddy arrack.—Two Imperial gallons.

Permits shall be in printed books, which can be obtained at all offices of the Inspectors of the Excise department on production of receipts for payment of the cost price into a Government treasury. The signing of blank permits for subsequent issue is prohibited.

19. Only such weights and measures as may from time to time be prescribed by the Commissioner of Excise shall be possessed or used on any licensed premises and they shall be tested and stamped by the stamping establishment of the district if the Collector shall so direct. Short measurement or short weighment is strictly forbidden.

20. No drunkenness, disorder or gaming shall be permitted in depots or shops. Entertainments of any kind in depots or shops are also strictly forbidden. Licensees are prohibited from advertising the sale of liquor, opium or intoxicating drugs by beat of tom tom or placards in the streets and in the neighbourhood of markets and from giving or offering liquor, opium or intoxicating drugs free with the object of increasing the custom or for any other reason. They are also prohibited from employing motor or other conveyances to convey possible customers to their shops.

* For liquor shops—vide Board's Notification No. 4, dated 24th January 1921, as amended by Notification No. 13, dated 15th July 1921.

21. No robbers or theives or disorderly or riotous persons shall be harboured in depots and shops. Intimation of their resort thereto shall be given to the nearest Magistrate or Police officer.

22. No person shall be harboured in any depot or shop during the night.

23. True accounts of transactions shall be maintained from day to day in ink in the prescribed form. Unless special permission is given to the contrary, separate accounts shall be kept for the transactions under each licence. The accounts shall be in printed books which may be obtained from local Revenue officers on payment of cost price. Permits for liquor, opium or intoxicating drugs received and the counterfoils of permits issued must be carefully filed in support of the accounts. The accounts and counterfoils of permits shall be preserved for one year after the period covered by the licence; they shall be handed over at the end of the lease either to the Range Sub-Inspector or to the in-coming licensee and they shall be produced when called for by an officer not below the rank of an Assistant Inspector of the Excise department.

24. Except in the case of fixed fee licences, the amount for which the privilege of sale has been purchased shall be payable in advance in twelve equal monthly instalments ('kists') into a Government treasury of the taluk where the shop is situated, or to an authorized village munsif in the same taluk, on or before the 1st of each month beginning with April or October as the case may be. In the case of toddy shops tree-tax should also be paid into a Government treasury of the taluk where the shop is situated, or to an authorized village munsif in the same taluk. Fines will be levied on any amounts not so paid; interest will also be levied on any amounts not paid before the end of the month for which they are due. After the 20th of the month shops are liable to be sold for failure to pay kists.

Toddy shops may also be resold for failure to pay tree-tax. Fees for depot licences must be prepaid.

25. No remission or abatement of the rent shall be claimable on any account whatever.

26. Power is reserved to Revenue officers to suspend licences in case of failure of payment of kists or of tree-tax on the due date. In the case of arrack, toddy, ganja and beer shops and taverns, this power will be exercised by Tahsildars or Deputy Tahsildars in independent charge, in the case of opium shops by Divisional Officers and in other cases by Collectors. In the event of suspension of a licence for failure to pay arrears, the privilege of sale will be resold with effect from the date of issue of the licence to the new purchaser, or otherwise disposed of at the Collector's discretion. Disposal of the privilege of sale otherwise than by resale includes also closure of the shop or tavern. All losses on account of suspension and resale or other disposal of the privilege shall be borne by the defaulting licensee, and shall become due immediately on resale or other disposal of the shop; but the defaulting licensee shall have no right to any gain which may accrue. The whole of the deposit, if any, made by the licensee, shall be liable to forfeiture. The officer who has power to suspend the licence may at his discretion allow sales to continue pending resale or other disposal of the privilege.

27. (*a*) No privilege of supply or vend shall be sold, transferred or sub-rented without the Collector's or in the case of a supplier under the contract distillery supply system, the Commissioner's previous permission. Nor, if the Collector so orders, shall any agent be appointed for the management of any such privilege without his previous approval.

(*b*) The transfer of a privilege will take effect from the date of the issue of a licence to the transferee.

28. (*a*) No abkari or opium licensee in an Indian State or foreign territory will be allowed to have any interest in a licence for the same article in British territory without the special permission of the Collector.

(*b*) No abkari or opium licensee in any area in British territory may have any interest in or hold a licence for the same article in any other area in British territory, in which a different rate of duty is in force without the special permission of the Collector, for which the party concerned must apply without delay. Breach of this condition will render the party liable to the penalties prescribed by condition 37 in respect of all or any of the licences held.

29. Such returns and information as may be required by the Divisional Officer from time to time shall be furnished by holders of licences.

30. Licensees are bound to report to the Divisional Officer all instances which come to their knowledge of persons employed by them in the manufacture, transport

or sale of liquor, opium or intoxicating drugs, committing breaches of the abkari / opium laws and to comply with the Divisional Officer's orders respecting the continued employment of such persons.

31. Pecuniary dealings by licensees of any kind whatever with officials of the Land Revenue and Excise departments are absolutely prohibited.

32. With the sanction of the Commissioner, any licence shall be revocable by the Collector at his discretion on giving the licensee fifteen days' notice of such revocation, in which case a proportionate part of the fee paid will be refunded.

33. All licensees shall be bound by any additional general rules that may be prescribed under the abkari / opium laws and shall, if so required by the Collector or any officer authorized by him, deliver up their licences for amendment or for the issue of fresh ones.

34. The officers authorized to inspect licensed shops and depots are—

(1) any officer of the Revenue department of rank not lower than Revenue Inspector, and

(2) any officer of the Excise department of rank not lower than Sub-Inspector.

These officers are empowered to enter and examine the premises, to test the weights, measures, liquor, opium and intoxicating drugs in the possession of the licensees, and to call for and check the accounts kept in the shop or depot. Police officers will also make inspections when it comes within the scope of their duty.

35. All officers authorized to inspect depots and shops are authorized to detain any liquor, opium or intoxicating drugs found unfit for consumption or use or which they may believe to have been tampered with in any of the ways referred to in condition 12 and all Collectors and Assistant Commissioners of the Excise department are empowered to confiscate, or destroy such liquor, opium or intoxicating drugs.

36. An inspection note-book, in the prescribed form (G-10), shall be maintained for the use of inspecting officers and shall be handed over to the Inspector of the circle or to any officer authorized by him to receive it on a receipt being given therefor. This note-book is the property of Government and shall be returned at the end of the lease to the range Sub-Inspector or to the in-coming renter in an unmutilated and reasonably clean condition on a receipt being given therefor.

37. (1) If a licensee or any person in his employment is convicted by a competent court of any offence against the Abkari / Opium Act, or of any offence under the Indian Penal Code which in the Collector's opinion renders it desirable to cancel the licence, or if it is brought to the notice of the Collector that the licensee has been convicted by a competent court of any such offence prior to the grant to him of the licence, the Collector may direct that the licence shall be cancelled, and the privilege be resold or otherwise disposed of at the risk of the licensee and may further direct, if he considers it necessary to do so, that any deposits made by the licensee shall be forfeited.

(2) Infraction of any of the conditions of the licence by a licensee or by any person in his employment will render the licensee liable either to be prosecuted and on conviction dealt with under clause (1) or to fine not exceeding Rs. 50 or to cancellation of licence and resale or other disposal of the privilege at the risk of the licensee and if considered necessary by the Collector to forfeiture of deposits. The rent for the whole lease shall become due at once, when a lease is cancelled under this or the preceding rule.

(3) When a licensee holds more than one licence granted under the Abkari or Opium Act and when any one of these licences is cancelled under clause (1) or (2) above or under the special conditions applicable to ganja or opium shop licences, the Collector, at his discretion, may direct that any or all of the other licences under the Abkari and Opium Act held by the licensee shall be cancelled and the several privileges be resold or otherwise disposed of at the risk of the licensee and, if necessary, may further direct that any deposits made by the licensee shall be forfeited. The rent for the whole lease shall become due when a licence is cancelled under this rule.

NOTE.—For continuing breaches of licence, continuing fines may be imposed.

38. Any sum due by a licensee may be adjusted from the deposit, if any, made by him or collected under the Revenue Recovery Act as an arrear of land revenue. The licensee shall be bound to replace any sum adjusted from his deposit within fifteen days of receipt of notice from the Tahsildar or Deputy Tahsildar in independent charge.

39. Interest on all moneys due shall be payable at the rate of 6 per cent per annum.

40. Specified sites or definite limits for each shop not overlapping those of other shops will be prescribed and notified in the district gazettes before the sales. A Tahsildar may at any time permit or order the transfer of a shop within the limits notified for the shop in the sale notice. No changes in the number or location of shops and depots likely to affect the interest of adjacent shopkeepers shall be made during the currency of a lease except under the special sanction of the Commissioner.

41. The right is reserved to the Collector to grant 'occasional licences' for the sale of liquor, opium and intoxicating drugs, on the occurrence of fairs, festivals, etc., in places in the vicinity of which there are no regularly licensed shops. Such licences should be issued only when absolutely necessary and shall ordinarily be granted to the shopkeepers who usually supply the locality. The licences shall run only for such period not exceeding ten days as they are actually required. Not more than one licence shall be issued for a fair or festival without the sanction of the Commissioner.

The fees to be paid for the licences shall be fixed at the discretion of the Collector.

Conditions applicable to Arrack Licences.

1. The privilege extends only to the sale of country spirits of the prescribed strengths. These are 35° under-proof and 60° under-proof except in respect of cashew arrack the prescribed strength for the sale of which in Mangalore town and taluk is 30° under-proof. The strength at which such spirits will be issued from a distillery or warehouse may however vary within a margin of 1° above or below the prescribed strength. The possession of sale in a licenced premises of country spirits of strengths other than those at which they are issued from a distillery or warehouse by the licensee or by any person in his employ or acting on his behalf is prohibited.

2. Spirits shall be purchased only from a warehouse established by the contract supplier for the supply of the district or from a wholesale depot established by the contract supplier, or by a private person with the contract supplier's consent. Discretion is, however, given to Collectors to require at any time any shopkeeper to obtain his supply of liquor from any specified depot or depots within the district without prejudice to the shopkeeper's privilege of getting supplies direct from a warehouse. The prices to be charged per gallon at the warehouses and wholesale depots in the district are given below :—

Source of supply—warehouse or wholesale depot.	Issue price of arrack per gallon of	
	35° under-proof.	60° under-proof.
	Rs. A. P.	Rs. A. P.
Mangalore warehouse	1 6 6	0 13 11
Wholesale depots	1 12 0	1 3 5

Cashew arrack supplied to Mangalore town and taluk shall be of 30° under-proof and the price excluding duty to be charged for such arrack at Mangalore warehouse and the depots in Mangalore town and taluk will be respectively Rs. 2 and Rs. 2-5-6 per gallon of that strength.

3. All consignments of liquor issued to depots or shops from warehouses shall be sealed by the officer in charge of the warehouse at the cost of the warehouse-keeper. Consignments of liquor from depots to shops shall be securely sealed by the depot-keeper at his cost. For the transport of liquor issued from warehouses and wholesale depots, arrack shopkeepers should provide themselves with jars or other receptacles that can be effectively closed and sealed; and the officer in charge of the warehouse or the depot-keeper should refuse to issue liquor in receptacles which cannot be so closed and sealed. The contract suppliers and wholesale depot-keepers are bound to sell to all persons licensed to purchase from them on payment of the value in legal tender. Depot and shopkeepers shall be entitled to have issued to them from the warehouse in the order of their applications and with all reasonable despatch any spirit which they are licensed to sell at any of the prescribed strengths. Shopkeepers are entitled to obtain liquor from a warehouse even if there is a wholesale depot in the same place. Supplies to shops shall, however, be subject to the provisions as to sources of supply given in the table attached to condition 2. Liquor will be supplied to shops from depots or warehouse only on the shopkeeper sending an indent from the prescribed indent book which can be obtained from the Taluk office on payment of cost price. The shopkeeper should, whenever he requires liquor from the depot or warehouse, forward the foil portion of the indent, duly signed by him or the approved seller in the shop, to the depot-keeper or warehouse-keeper as the case may be and should, after the receipt of the consignment, paste the

permit to the counterfoil of the indent sent by him. Similarly the depot-keeper should paste the foil portion of the indent to the counterfoil of the permit issued by him. The depot-keeper should also obtain the transporter's finger-print (if illiterate) or signature on the permit counterfoil. The signing of blank indents for subsequent use is prohibited.

4. The quantities purchased at one time shall not fall below the following minima :—

Persons purchasing.	From a warehouse.	From wholesale depots.
	GALS.	GALS.
(*a*) Independent shopkeepers within 5 miles of a warehouse when there is no depot within 5 miles of the shop.	5	1
(*b*) Other shopkeepers	25	1
Wholesale depot-keepers	9	9

5. The prices to be charged by warehouse-keepers are in addition to the excise duty, the rates of which per gallon are fixed by Government as follows :—

	RS.	A.	P.
35° under-proof	4	3	7
60° under-proof	2	5	7
30° under-proof cashew arrack in Mangalore town and taluk ..	4	8	10

6. The duty on spirits purchased from the contract supplier's warehouse must be prepaid into a Government treasury unless the contract supplier has an advance account with the treasury, in which case the duty may be paid to him up to the limit of the balance in his favour in that account. The cost price of spirits purchased should be paid to the contract supplier.

7. In the case of purchases from wholesale depots the excise duty must be paid to the depot-keeper with the cost price.

Special Conditions applicable to Arrack Wholesale Depot Licences.

1. Each cask or metalic receptacle in a depot shall have its capacity legibly cut, branded or painted on it. The licensee will be responsible for the correctness of such marks. The contents of (receptacles) of 80 gallons and upwards must be marked to the nearest half gallon, those of smaller ones to the nearest quarter gallon.

2. No consignments of spirits received at depots from warehouses shall be opened before they have been gauged and proved by an authorized Government officer. In case of consignments from one part of British territory to another through Indian States or Foreign Settlements issues from one depot to another must be similarly verified. In all other cases the depot-keepers are required to verify the consignments on receipt and carefully enter the result of the verification in their accounts ; they may, if they so desire, postpone the gauging and proving till a receptacle is opened for issues in which case they are responsible for the contents as given in the warehouse permits. All casks or metalic receptacles received in a leaky or suspicious condition must be verified immediately on arrival at the depots.

3. No consignments of spirits which have to be transported through Indian States or Foreign Settlements shall be issued without their being sealed by authorized officers.

4. Each depot must be furnished with a hydrometer of such pattern as may be prescribed by the Commissioner of Excise, a thermometer, a bung-rod and a full dram measure. Bung-rods and dram measures and, if required, hydrometers and thermometers also will be supplied by the department on payment of the cost.

5. Wholesale depot-keepers shall obtain their supplies of liquor only from the warehouse established by the contract supplier in the contract area or from other wholesale depots in the same area, as shown in column 1 of the table in condition 2 of the conditions applicable to arrack licences.

6. Casks or other receptacles containing liquor except those received in a leaky or suspicious condition shall be outturned in the order of their receipt. Spirits shall be sold only to licensed vendors in the district, but wholesale depot-keepers in taluks where a lower rate of cost price is in force shall not sell liquor to licensed vendors in the other taluks of the district where a higher rate of cost price is in force.

7. Wholesale depot-keepers shall send letters of advice once at the end of every fortnight to the Sub-Inspector of the range in which the shop is situated, whenever a consignment is issued to a shop in a different range from the depot. Letters of advice relating to shops in the same range as the depot shall invariably be written up by the depot-keeper at the time of writing the permit and either sent to the Sub-Inspector or handed over to him when he next inspects the depot.

8. A wastage allowance up to 2 per cent on the quantity advised in each wooden receptacle and up to 1 per cent in each metalic receptacle, received at the depot will be allowed to wholesale depot-keepers, who should submit to the inspector of the circle in which the depot is situated a statement showing (i) the number of the receptacle received at the depot, (ii) the quantity advised in each receptacle, (iii) the quantity outturned and (iv) the wastage, ascertained in each case. The statement should be submitted not later than the 5th of the month following that to which it relates. All cases of wastage in excess of the prescribed limit will be dealt with by Collectors, at their discretion, by a fine not exceeding double the duty payable on the excess wastage. If the receptacles have passed through areas in which different duties are in force, the fine may be calculated on the highest duty prevailing in any of such areas. Only one receptacle should be kept open at a time for issue. Depot-keepers should show clearly in their account books the receptacle from which each consignment or part of a consignment is issued.

9. Depot-keepers are required to seal at their own cost all consignments of liquor issued by them to which shall be affixed labels indicating the permit number and date of issue of liquor. Collectors may require that a portion of each supply from a depot to a shop shall be in sealed bottles. The depot-keepers shall use a private seal, an impression of which shall be made not only on the jars or other receptacles in which liquor is issued, but also on the permits issued with the consignments. The impression of the seal should be made in the permits with printing ink and not on wax and the hours from and to which the permits will be current should be noted in them. All depot-keepers will be required at the beginning of the year to furnish the Inspector of the circle within which their depot is situated with two clear impressions of the seal to be used and will not be permitted to change the seal during the year.

10. Depot-keepers or their employees shall have no interest in retail arrack shops.

Special Conditions regulating the sale of Cashew Arrack.

1. The privilege granted by this licence extends also to the sale of cashew arrack issued from the Mangalore warehouse. Such arrack will be issued from the warehouse so long as there is stock available.

2. The supply of cashew arrack from the Mangalore warehouse to the persons licensed to purchase such arrack shall be subject to the same conditions as those applicable to the supply of molasses arrack.

3. The prescribed strength for the sale of cashew arrack is 30° under-proof. The price excluding duty to be charged per gallon of 30° under-proof cashew arrack shall be Rs. 2 at the Mangalore warehouse and Rs. 2–5–6 at the depots in the Mangalore town and taluk. The duty per gallon of 30° under-proof cashew arrack shall be Rs. 4–8–10.

4. The licensee is strictly prohibited from mixing cashew arrack with molasses arrack.

5. True and separate accounts of transactions in cashew arrack shall be maintained by the licensee.

6. The licensee shall be bound by such other orders relating to the sale of cashew arrack as may be issued by the Collector or the Commissioner during the lease.

Special Conditions applicable to Independent Arrack Shop Licences.

1. No consignments of spirits transported through Indian States or Foreign Settlements shall be opened before they have been verified by authorized officers.

2. Shop-keepers or their employees shall have no interest in arrack wholesale depots.

Special Conditions applicable to Beer Licences.

1. The privilege extends only to the sale of beer brewed in India to be consumed on the premises and to the sale for removal from the premises of not more than one reputed quart at a time of such beer.

2. Every receptacle containing beer brewed in India and received into or kept for sale at the shop shall be conspicuously labelled or branded with the words "Beer brewed in India" Beer should be sold from the original receptacle in which it is received from the brewery and should not be transferred to any other receptacle or receptacles except for special reasons to be recorded immediately by the licensee in his shop account book before transfer is effected.

3. The possession or sale of diluted beer by the licensee is prohibited.

Conditions applicable to Ganja Shop Licences.

1. The licensee shall be bound by the Hemp Drugs Rules prescribed by the Board in Notification No. 1, dated 6th January 1921, published on pages 70 to 80 of the

Fort St. George Gazette, dated 11th January 1921, Part II, as subsequently amended and by any additional, general or special rules which may from time to time be prescribed and notified.

2. The privilege conferred extends only to the sale of ganja, bhang and other intoxicating drugs prepared from the hemp plant, but the privilege shall not extend to the manufacture or sale of ganja or bhang in the form of beedies or cigarettes or sale of ganja or bhang mixed with tobacco in any form for the purpose of smoking or chewing.

3. The licensee must obtain his supplies of ganja and bhang from the storehouses at Vetapalem or from other shops within the same district as the shop, or at any auction of confiscated ganja held by the Inspector, Madras Town Circle. The Commissioner may, however, at any time require any licensee to obtain his supplies from any one specified source or from the stock of Government ganja at Vetapalem.

4. During the closing month of the lease (March) no licensee shall apply for more ganja than is necessary to meet the legitimate requirements of the remaining days of the lease. Every indent for ganja in March to the storehouse officer or to any ganja shop-keeper shall be sent through the Inspector of the circle in which the shop is situated who may, at his discretion, refuse to pass it in full and may pass for supply only such quantity as he considers reasonable.

5. Owners of stocks at the Vetapalem storehouse, so long as they have stock in hand, are bound by a condition of their licence to supply ganja to licensed vendors on payment, in legal tender, of the value thereof at a rate not exceeding Rs. 2 per seer of 80 tolas or such other maximum as may be fixed either generally or with reference to any particular case. They are also bound to comply with indents for intoxicating drugs received from shop-keepers in accordance with the rules in the order of their receipt and with all reasonable despatch and to appoint agents at the storehouse to act for them during their absence if any. Should they fail to do so, it will be open to the storehouse officer to issue intoxicating drugs on their behalf when indents are received during their absence.

6. At the Vetapalem storehouse, Government ganja and bhang will be sold to licensed vendors when there is stock available at a fixed price of Rs. 1-6-0 per seer of ganja and As. 8 per seer of bhang. Licensees desiring to purchase this ganja or bhang must pay both the duty and the cost price of the drugs into the treasury of the taluk in which their shop is situated. They should forward the treasury receipts evidencing the payment of duty and cost price to the storehouse officer who will make the issues from the stocks in the storehouse.

7. No consignment of intoxicating drugs obtained from a Government storehouse shall be opened before it has been verified and passed by an authorized Government officer. Infraction of this provision will subject the licensee to a fine which may extend up to Rs. 200.

8. No licensee shall keep any greater quantity of ganja, bhang and other intoxicating drugs prepared from the hemp plant than may be fixed by the Collector. The Collector may, with the previous approval of the Commissioner by notification at the time of auction sales, impose a maximum limit on the quantity to be sold under a licence—and the Commissioner may, at any time, during the currency of the lease, if he finds that the issues to a shop are abnormally high, restrict further issues unless good reason is shown by the licensee.

9. Licensees are prohibited from breaking up the pressed ganja kept for sale in their shops except in small quantities not exceeding the average daily sales in their shops. Other drugs may be manufactured from ganja and bhang in shops and sold to other licensees under these rules.

10. No licensee shall destroy the seeds or any part of his stock of ganja. The seeds, if separated from the stock, as well as any part of the stock which the licensee desires to destroy, should be carefully preserved for examination and destruction by an Inspecting officer.

11. If any ganja licence is used as a cloak for illicit sales or if the licensee knowingly sells ganja to a ganja smuggler or if the Collector has reason to suspect that the licensee is guilty of any offence of that nature, he may, after recording his reasons forthwith, cancel the licence and resell or otherwise dispose of the privilege at the risk of the licensee. The rent for the whole lease shall become due at once when a licence is cancelled under this condition.

12. The duty on ganja will be Rs. 27-8-0 per seer, and on bhang Rs. 12-8-0 per seer.

Conditions applicable to Opium Shop Licences.

1. The licensee shall be bound by the rules prescribed under the Opium Act in Government Notification No. 463, dated 18th November 1932, printed on pages 1856—1858 of the *Fort St. George Gazette*, dated 29th November 1932, Part I, and any additional, general or special rules which may from time to time be notified.

2. The privilege conferred extends only (*a*) to the retail sale of raw opium and (*b*) to the manufacture and retail sale of opium mixture in shops duly sanctioned.

3. The price of raw opium at taluk cutcherries will be Rs. 80 per full-seer cake and Rs. 40 per half-seer cake.

4. The licensee shall obtain his supply of raw opium from such taluk cutcherry as may be ordered by the Collector in quantities of a half-seer and multiples thereof on complying with the rules regulating such issues, or from other shops within the district under the special orders of the Collector. No raw opium other than that obtained in the manner specified above shall be sold or received or possessed by the licensee. During the closing month of the lease (March), the licensee shall not apply for more raw opium than is necessary to meet legitimate requirements of the remaining days of the lease. Every indent for raw opium in March will be carefully scrutinized by the officer in charge of the taluk treasury who may, at his discretion, refuse to comply with it in full, and may issue such quantity as he considers reasonable.

5. The licensee shall not sell at one time to any person more than one tola of raw opium or opium mixture containing more than one tola of raw opium. The licensee is prohibited from breaking up the pressed raw opium cakes kept for sale in his shop except in quantities not exceeding the average daily sales in the shop.

6. The licensee shall keep at any one time no greater quantity of raw opium and opium mixture than may be fixed by the Collector. The Collector may, with the previous approval of the Commissioner by notification at the time of auction sales, impose a maximum limit on the quantity to be sold under a licence and the Commissioner may, at any time during the currency of the lease, if he finds that the issues to a shop are abnormally high, restrict further issues unless good reason is shown by the licensee.

7. If this licence is used as a cloak for illicit sales or if the licensee knowingly sells opium to an opium smuggler or if the Collector has reason to suspect that the licensee is guilty of any of these offences, he may, after recording his reasons, forthwith cancel the licence and resell or otherwise dispose of the privilege at the risk of the licensee. The rent for the whole lease shall become due at once, when a licence is cancelled under this condition.

8. The smoking or consumption of opium in any form in premises licensed for sale is prohibited.

ANNEXURE.

List of immovable property possessed by———— successful bidder of ———— surety of the successful bidder of ————shop No.————at————taluk————district, for the lease 193 —193 .

(1) Name————

(2) Father's or uncle's name ————

(3) Residence and address————

(4) Occupation————

(5) Particulars of immovable property possessed :—

District.	Taluk.	Village and name of street in case of houses.	Survey numbers and (door numbers in case of houses).	Extent.	Wet or dry.	Assessment.	Market value per acre in case of land.	Registered in whose name ; if pattadar, patta number.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

II. What is the nature and extent of your ownership or interest in the above property ?

III. Are there any existing encumbrances on the above property ? If so, nature and amount of each such encumbrance. Have you other debts. If so, to what extent ?

IV. Are there any other claims upon the property shown in Head I above. If so, the nature and amount of such claim should be stated.

I———————, $\frac{\text{son}}{\text{nephew}}$ of———————, residing at———, hereby solemnly declare that the facts about my property above stated are complete and true and that there are no encumbrances thereon beyond those shown in Head III above and I shall not $\frac{\text{encumber}}{\text{further encumber}}$ any of the property shown in statement above without the previous intimation in writing to the Tahsildar of——— taluk.

Witness ———————————

Address ———————————

Date ———————————

Place —

Signature ———————————

Note.—(1) Under Head II, it should be stated whether the property is the sole or joint family property of the declarant ; if joint family, the share of the declarant and value thereof should be stated.

(2) Under Head IV should be noted interests in or claims on the property other than those noted under Head II, e.g., claims on account of dowry or stridhanam.

(3) The Tahsildar should question the deponent further, if necessary, in order to elucidate his statement and should record the replies which should be signed by the deponent and the Tahsildar and attached to this declaration.

E. M. GAWNE,
Collector.

Mangalore, 2nd February 1935.